IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3451 OF 2004

Digambar Prakash Padmukh ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. D.P. Mane holding for Mrs. Mallika Ingale, for the Applicant.

Mr. D.R. More, A.P.P., for the State.

...

CORAM : A.M.KHANWILKAR,J.

4th October 2004

P.C.:

. It has been brought to my notice that application for regular bail made by the present Applicant has been dismissed on merits by this Court on 5th May 2004. This is second application for the same relief. It is not possible to go into the merits of the submission canvassed before me, though it is submitted that some grounds were left out while considering the earlier bail application. The learned A.P.P.

states on instructions that the trial has been fixed for framing of charge on 16th October 2004. He further submits on instructions that after the charges are framed, the trial can be concluded on day to day basis not exceeding 3 months. The learned Counsel for the Applicant, however, states that one of the accused has not engaged any Advocate, for which reason the charge is not being framed. If it is so, it will be open to the trial Court to appoint an Advocate for the said accused after giving him notice. If the accused who has still not engaged Advocate fails to appoint any Advocate of his choice, it is always open to the trial Court to appoint an Advocate from the panel of Advocates to be appointed for that purpose. As mentioned earlier, the trial Court shall ensure that the trial is concluded as expeditiously as possible and in any case not later than six months from today. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)